IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY APPLICATION NO.1104 OF 2006

IN

COMPANY PETITION NO.375 OF 2003

Coates Coatings India Limited .. Applicant

Versus

M/s.Comet Foods & Metals Ltd. .. Respondent.

Ms.Shakuntala Joshi for applicant.

None for respondent.

CORAM : Dr.D.Y.CHANDRACHUD, J.

17TH APRIL, 2007.

P.C.:

1. The Company Application has been served and an affidavit of service has been filed.

2. Despite a conditional order dated 11th February, 2004, the company failed to deposit a sum of Rs.7,06,193/- for the goods sold, supplied and delivered. The Company Petition, therefore stands admitted. The order was

affirmed in appeal on 12th April, 2004. Despite an extension of time to deposit, no deposit has been effected.

3. In Para. 3 of the affidavit in support, it has been stated that the business of the company is completely closed and the company is in the process of disposing of its properties, namely, the registered office at Thane and machinery lying at the factory at Silvasa. No reply has been filed to the Company Application. In the circumstances, the Company Application is made absolute in terms of prayer clause (a). Until the liquidator takes charge, there shall be no injunction in terms of prayer clause (b).